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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Associazione Comunita Papa Giovanni XXIII, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 May 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Migrants along the borders

APG23 is deeply concerned over the severe situation that people on the move are suffering around the world. The incessant exodus we have been witnessing in recent years, due to conflicts, famine, and natural disasters, has highlighted the weakness and vulnerability of many migration management strategies aimed at fortifying and militarising borders instead of protecting migrants' rights, creating safe passages and fair access to asylum processes.

According to testimonies collected directly by APG23 volunteers, migrants, in transit or at borders, are, more than ever, exposed to violence and abuse, treated like criminals and often arbitrarily detained. After disembarkation on Greece's coasts, instead of being rescued, migrants are beaten, robbed and then pushed back to Turkey. Along the Balkan route, violent deportations, including chain push backs over multiple countries, keep happening systematically in breach of international legislation, making migratory journeys increasingly dangerous.

Furthermore, as widely reported, the COVID-19 pandemic has been used as an excuse to deny human rights of people on the move, pushing pressure against them and limiting their freedom of movement.

Lastly migrant children, often registered as adults, deprived of guarantees and safeguard, are exposed to situations of extreme vulnerability and terrible risks such as human trafficking and sexual exploitation, as well as drug trafficking and forced labour; a certain number of children disappear during the journey.

Notwithstanding several condemnations and denunciations, severe human rights violations keep happening along the rich Western countries' boundaries and strategies aimed at protecting lives and rights of all migrants don't get the hoped-for results.

In addition, migratory phenomenon, instead of being considered as a challenge, is managed as a threat to be fought and migrants in search of safety and dignity, are painted as enemies to ward off.

Rather than ensuring support to people in need, the safeguarding of territories and frontiers has become the leitmotiv of many national migration policies, increasing the vulnerability of people on the move.

The need for human rights-compliant responses is now more urgent than ever.

In this context APG23 wants to highlight the plight of migrants and asylum seekers along the boundaries between Poland and Belarus.

The Belarus border has become a point of access to Europe since June 2021; indeed, according to different sources Minsk's government, granting tourist visas, has facilitated migrants to cross the European oriental border, using them as a tool of pressure for political purposes.

As a result of this inhumane strategy, thousands of asylum seekers, mainly from the Syrian Arab Republic, Iraq and Afghanistan, in a desperate attempt to reach European countries, are violently pushed back to Belarus by Poland's border guards; refugees, unaccompanied children, as well as families, have been trapped in the forest between the two countries unable to advance into Poland or return to Belarus.

We, as APG23, want to draw attention to the serious human rights violation committed by the border authorities along that oriental migration route.

The testimonies and the stories collected directly by APG23 volunteers and by many other NGOs and journalists, show how violent deportations keep happening systematically through an indiscriminate use of violence in breach of international legislation. Many migrants, inter alia children and vulnerable groups, are still stuck in the Bialowieza forest, robbed, beaten and humiliated, risking death for lacking food and medical care.

A cruel and unfair narrative against people on the move on one hand, and the criminalisation of solidarity acts aimed at supporting and caring migrants to another hand, have increased the jeopardy of discrimination and abuse, raising barriers and putting lives of migrants at risk.

Despite the prohibition to volunteers and journalists to move close to the border and to help migrants, many people and NGOs volunteers have been committed to rescuing refugees regardless of the risk of being arrested. In addition, a 186 km long wall is being built along the Polish border in order to protect boundaries and to control migration (1).

Furthermore, according to our information, many refugees such as Afghans, Iraqis, Syrians and Yemenis caught attempting to cross the border, are locked up in Polish detention centres or in Lithuania's jails. Other migrants are still hiding in Minsk, risking to be repatriated in "no-safe" third countries. Border authorities never conduct the assessments in order to determine individual protection needs; as a result, the asylum seekers' requests are immediately denied regardless of severe reasons that have forced these people to escape from their country and ask for international protection. Moreover, the lack of lawyers and interpreters involved in the asylum seekers' request process increases the bureaucratic and linguistic barriers that people on the move have to face. Accordingly, many of them are trapped at the European doorstep without any perspective of release, nor of obtaining refugee status. As usual, the most vulnerable are still paying the highest price and once again civilised Europe has not been able to act for a human rights - based solution. We, as APG23, want to underscore the lack of accountability for all these violations; the humanitarian law has been violated and procedures, established by international and national legal framework, have not been observed.

Meanwhile, another massive exodus of displaced people has been triggered because of the Ukraine's conflict. Millions of refugees, escaping from bombing and destruction, have been pouring towards the European frontiers. Thanks to an immediate collective response, European countries have been able to manage Ukraine refugees, providing them proper access to house, health as well as education, and ensuring the right to work.

In this context, it is imperative to underline the double-standard solution of the EU's governments regarding Ukraine displaced people and the other migrants.

The prompt European response to Ukraine's refugees shows us how cooperation among parties together with the full compliance with legislation and human rights is the right call in order to overcome obstacles and administrative barriers, putting both the protection of human dignity and the respect of international laws as core principles of every migration policy.

As a matter of fact, access to basic rights such as health, food, house, education and work should be guaranteed, regular pathways should be quickly organised, and bureaucratic procedures should be simplified. People on the move have to enjoy their human rights, regardless of their migration status, their nationality as well as the colours of their skin. Nationality should never make the difference in access to human rights.

In the "build back better" era people of the world have to act together in order to build a different future instead of building walls aimed at defending borders.

In this context, the words of Pope Francis in His message during His visit in Lesbo in December 2021 are still echoing: "The remote causes should be attacked, not the poor people who pay the consequences and are even used for political propaganda. To remove the root causes, more is needed than merely patching up emergency situations. Coordinated actions are needed. Epochal changes have to be approached with a breadth of vision. There are no easy answers to complex problems; instead, we need to accompany processes from within, to overcome ghettoization and foster a slow and necessary integration, to accept the cultures and traditions of others in a fraternal and responsible way" (2).

In light of all this, APG23 strongly condemns the use of violence on the border and the illegal practice of push back. We reiterate the need for safe migration and we urge accountability for all human rights violations and crimes against migrants. Borders should be lines limiting territories instead of unbearable barriers limiting freedom; borders should never be theatre of death, violence and humiliations.

As long as migration policies will be based on protection of territories instead of protection of people, humanitarian crises keep happening in front of us. Migration has to be managed in a humane and effective way. In this regard, international solidarity and the operationalization of the right to development can pave the way to fully realise migrant's rights by eliminating obstacles and ensuring equality of opportunity for all. Finally, we urge

all states to adopt and implement the Global Compact for Safe Orderly and Regular Migration, in order to put in place a deep and long-term commitment to safeguarding of migrants and refugees around the world.

(1) <https://www.theguardian.com/world/2022/jan/27/poland-starts-building-wall-through-protected-forest-at-belarus-border>

(2) <https://www.vatican.va/content/francesco/en/speeches/2021/december/documents/20211205-grecia-rifugiati.html>